

**House File 370 - Introduced**

HOUSE FILE 370  
BY COMMITTEE ON EDUCATION

(SUCCESSOR TO HSB 118)

**A BILL FOR**

1 An Act relating to entities supported in whole or in part by  
2 public moneys, including the sale of public bonds, the  
3 duties and responsibilities of the directors and officers  
4 of school boards, school districts, the department of  
5 education, the department of health and human services,  
6 accredited nonpublic schools, charter schools, community  
7 colleges, institutions under the control of the state board  
8 of regents, area education agencies, election commissioners  
9 and children's residential facilities, and the membership  
10 and voting units of county and city conference boards.  
11 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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DIVISION I  
BOND SALES

Section 1. Section 75.2, Code 2023, is amended to read as follows:

**75.2 Notice of sale.**

When public bonds are offered for sale, the official in charge of the bond issue shall, ~~by advertisement published at least once, the last one of which shall be not less than four nor more than twenty days before the sale in a newspaper located in the county or a county contiguous to the place of sale, give notice of the time and place of sale of the bonds, the amount to be offered for sale, and any further information which the official deems pertinent by publishing the time and place of sale of the bonds, the amount to be offered for sale, and any additional information the official deems pertinent to the bond issue not less than four nor more than twenty days before the sale in at least one electronic or written publication with nationwide circulation that is recognized for providing information regarding the sale of public bonds or in a newspaper located in the county or a county contiguous to the place of sale.~~

Sec. 2. Section 75.14, Code 2023, is amended to read as follows:

**75.14 Electronic bidding.**

Notwithstanding contrary provisions of [this chapter](#), including section 75.3, a public body authorized to issue bonds, notes, or other obligations may elect to receive bids to purchase such bonds, notes, or other obligations by means of electronic, internet, or wireless communication; a proprietary bidding procedure or system; or by facsimile transmission to a location deemed appropriate by the governing body, in each instance as may be approved by the governing body and provided for in the notice of sale. An electronic bid shall be submitted in substantial conformity with the requirements of [chapter 554D](#) and any rules adopted pursuant to that chapter

1 with respect to the acceptance of electronic records by a  
2 governmental agency. Additionally, before approving the use  
3 of an electronic bidding procedure, the public body shall find  
4 and determine that the specific procedure to be used will  
5 provide reasonable security and maintain the integrity of  
6 the competitive bidding process, and facilitate the delivery  
7 of bids by interested parties under the circumstances of the  
8 particular sale.

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DIVISION II

10 SCHOOL BOARD AND OFFICERS — DUTIES AND RESPONSIBILITIES

11 Sec. 3. Section 256.11, subsection 9, Code 2023, is amended  
12 to read as follows:

13 9. ~~Beginning July 1, 2006, each~~ A school district shall  
14 have a qualified teacher librarian who shall be licensed by the  
15 board of educational examiners under [chapter 272](#). The state  
16 board shall establish in rule a definition of and standards for  
17 an articulated sequential kindergarten through grade twelve  
18 media program. ~~A school district that entered into a contract  
19 with an individual for employment as a media specialist or  
20 librarian prior to June 1, 2006, shall be considered to be  
21 in compliance with [this subsection](#) until June 30, 2011, if  
22 the individual is making annual progress toward meeting the  
23 requirements for a teacher librarian endorsement issued by the  
24 board of educational examiners under [chapter 272](#). A school  
25 district that entered into a contract with an individual for  
26 employment as a media specialist or librarian who holds at  
27 least a master's degree in library and information studies  
28 shall be considered to be in compliance with this subsection  
29 until the individual leaves the employ of the school district.~~

30 Sec. 4. Section 279.6, subsection 1, paragraph a, Code 2023,  
31 is amended to read as follows:

32 a. Except as provided in paragraph "b" and subsection  
33 2, vacancies occurring among the officers or members of a  
34 school board shall be filled by the board by appointment. A  
35 person so appointed to fill a vacancy in an elective office

1 shall hold office until a successor is elected and qualified  
2 at the next regular school election, unless there is an  
3 intervening special election for the school district, in which  
4 event a successor shall be elected at the intervening special  
5 election, in accordance with [section 69.12](#). To fill a vacancy  
6 occurring among the members of a school board, the board shall  
7 publish notice on the board's internet site and in the manner  
8 prescribed by [section 279.36](#), stating that the board intends to  
9 fill the vacancy by appointment but that the electors of the  
10 school district have the right to file a petition requiring  
11 that the vacancy be filled by a special election conducted  
12 pursuant to [section 279.7](#). The board may publish notice in  
13 advance if a member of the board submits a resignation to take  
14 effect at a future date. The board may make an appointment to  
15 fill the vacancy after the notice is published or after the  
16 vacancy occurs, whichever is later.

17 Sec. 5. Section 279.8, subsection 1, Code 2023, is amended  
18 to read as follows:

19 1. The board shall make rules for its own government and  
20 that of the directors, officers, employees, teachers and  
21 pupils, and for the care of the schoolhouse, grounds, and  
22 property of the school corporation, and shall aid in the  
23 enforcement of the rules, and require the performance of duties  
24 imposed by law and the rules. ~~The board shall include in its~~  
25 ~~rules provisions regulating the loading and unloading of pupils~~  
26 ~~from a school bus stopped on the highway during a period of~~  
27 ~~reduced highway visibility caused by fog, snow or other weather~~  
28 ~~conditions.~~ The board shall have the authority to include in  
29 its rules provisions allowing school corporation employees to  
30 use school credit cards to pay for the actual and necessary  
31 expenses incurred in the performance of work-related duties.

32 Sec. 6. Section 279.20, subsection 2, Code 2023, is amended  
33 to read as follows:

34 2. The board of directors of a school district may delegate  
35 the authority to hire support personnel and sign the support

1 personnel employment contracts, if applicable, if the board  
2 adopts a policy authorizing the superintendent to perform  
3 such duties and specifying the positions the superintendent  
4 is authorized to fill. The board of directors of a school  
5 district and the superintendent, if authorized pursuant to  
6 this subsection, may use electronic signatures and electronic  
7 contracts pursuant to chapter 554D and facsimile signatures  
8 when entering into the contracts described in this subsection.

9 For purposes of **this subsection**, the term “*support personnel*”  
10 includes, but is not limited to, bus drivers, custodians,  
11 educational associates, and clerical and food service  
12 employees.

13 Sec. 7. Section 279.69, subsection 1, Code 2023, is amended  
14 to read as follows:

15 1. Prior to hiring an applicant for a school employee  
16 position, a school district shall have access to and shall  
17 review the information in the Iowa court information system  
18 available to the general public, the sex offender registry  
19 information under **section 692A.121** available to the general  
20 public, the central registry for child abuse information  
21 established under **section 235A.14**, and the central registry for  
22 dependent adult abuse information established under section  
23 235B.5 for information regarding the applicant. ~~A school~~  
24 ~~district shall follow the same procedure by June 30, 2014, for~~  
25 ~~each school employee employed by the school district as of July~~  
26 ~~1, 2013.~~ A school district shall implement a consistent policy  
27 to follow the same procedure for each school employee employed  
28 by the school district ~~on or after July 1, 2013,~~ at least every  
29 five years after the school employee’s initial date of hire. A  
30 school district ~~shall not~~ may charge an employee for the cost  
31 of the registry checks conducted pursuant to **this subsection**,  
32 not to exceed the actual cost of the registry checks. A school  
33 district shall maintain documentation demonstrating compliance  
34 with **this subsection**.

35 Sec. 8. Section 280.5, subsection 2, Code 2023, is amended

1 to read as follows:

2     2. ~~The board of directors of each~~ Each public school  
3 district shall administer the pledge of allegiance in grades  
4 one through twelve each school day. Each classroom in which  
5 the pledge of allegiance is recited pursuant to this subsection  
6 shall display the United States flag during the recitation. A  
7 student shall not be compelled against the student's objections  
8 or those of the student's parent or guardian to recite the  
9 pledge.

10     Sec. 9. Section 291.1, Code 2023, is amended to read as  
11 follows:

12     **291.1 President — duties.**

13     The president of the board of directors shall preside at  
14 all of its meetings, sign all contracts made by the board, and  
15 appear on behalf of the corporation in all actions brought by  
16 or against it, unless individually a party, in which case this  
17 duty shall be performed by the secretary. The president or the  
18 president's designee shall have the authority to enter into  
19 original contracts or electronic contracts pursuant to chapter  
20 554D and sign, using an original, ~~or~~ facsimile, or electronic  
21 signature, as defined in section 554D.103, all school district  
22 payments drawn and authorize electronic funds transfers as  
23 provided by law. The board of directors, by resolution, may  
24 designate an individual, who shall not be the secretary, to  
25 sign payments or authorize electronic funds transfers on behalf  
26 of the president pursuant to this section.

27     Sec. 10. Section 291.4, Code 2023, is amended to read as  
28 follows:

29     **291.4 Oath.**

30     Each shall take the oath required of civil officers, ~~which~~  
31 ~~shall be endorsed upon the bond,~~ and shall complete the  
32 qualification within ten days.

33                                   DIVISION III

34                   RESPONSIBILITIES AND REQUIREMENTS RELATING TO HEALTH

35     Sec. 11. Section 8A.318, subsections 1 and 3, Code 2023, are

1 amended to read as follows:

2 1. *Findings and intent.* The general assembly finds that  
3 human beings are vulnerable to and may be severely affected by  
4 exposure to chemicals, hazardous waste, and other environmental  
5 hazards. The federal environmental protection agency estimates  
6 that human exposure to indoor air pollutants can be two to  
7 five times, and up to one hundred times, higher than outdoor  
8 levels. ~~Children, teachers, janitors, and other staff members~~  
9 ~~spend a significant amount of time inside school buildings.~~  
10 Likewise, ~~state~~ State employees and citizens of this state  
11 spend a significant amount of time inside state buildings.  
12 These individuals are continuously exposed to chemicals from  
13 cleaners, waxes, deodorizers, and other maintenance products.

14 3. *Use of environmentally preferable cleaning and maintenance*  
15 *products.*

16 a. ~~All school districts in this state, community colleges,~~  
17 ~~institutions under the control of the state board of regents,~~  
18 ~~and state agencies utilizing state buildings,~~ are encouraged  
19 to conform to an environmentally preferable cleaning policy  
20 designed to facilitate the purchase and use of environmentally  
21 preferable cleaning and maintenance products for purposes of  
22 ~~public school, community college, regents institution, and~~  
23 state building cleaning and maintenance.

24 b. ~~Each school district, community college, institution~~  
25 ~~under the control of the state board of regents, or state~~  
26 agency utilizing public buildings shall conduct an evaluation  
27 and assessment regarding implementation of an environmentally  
28 preferable cleaning policy pursuant to [this section](#). ~~On or~~  
29 ~~after July 1, 2012, all~~ All state agencies, ~~and all school~~  
30 ~~districts, community colleges, and institutions under the~~  
31 ~~control of the state board of regents which have not opted~~  
32 ~~out of compliance pursuant to paragraph "c",~~ shall purchase  
33 only cleaning and maintenance products identified by the  
34 department or that meet nationally recognized standards.  
35 ~~School districts, community colleges, institutions under the~~

1 ~~control of the state board of regents, and state~~ State agencies  
2 procuring supplies for schools and state buildings may deplete  
3 their existing cleaning and maintenance supply stocks and  
4 implement the new requirements in the procurement cycle for  
5 the following year. This section shall not be interpreted  
6 in a manner that prohibits the use of disinfectants,  
7 disinfecting cleaners, sanitizers, or any other antimicrobial  
8 product regulated by the federal Insecticide, Fungicide,  
9 and Rodenticide Act, 7 U.S.C. §136 et seq., when necessary  
10 to protect public health and provided that the use of these  
11 products is in accordance with responsible cleaning procedure  
12 requirements.

13 ~~c. A school district, community college, or institution~~  
14 ~~under the control of the state board of regents may, based upon~~  
15 ~~the evaluation and assessment conducted pursuant to paragraph~~  
16 ~~"b", opt out of compliance with the requirements of this section~~  
17 ~~upon the affirmative vote of a majority of the members of the~~  
18 ~~board of directors of the school district or a determination by~~  
19 ~~the president of the community college or by the president or~~  
20 ~~administrative officer of the regents institution. A school~~  
21 ~~district, community college, or regents institution opting~~  
22 ~~out of compliance pursuant to this paragraph shall notify the~~  
23 ~~department of education, the state board of education, or the~~  
24 ~~state board of regents, as appropriate, of this decision.~~

25 Sec. 12. Section 256.11, subsection 9B, Code 2023, is  
26 amended to read as follows:

27 9B. ~~Beginning July 1, 2007, each~~ A school district shall  
28 have a school nurse to provide health services to its students.  
29 ~~Each school district shall work toward the goal of having one~~  
30 ~~school nurse for every seven hundred fifty students enrolled in~~  
31 ~~the school district. For purposes of~~ this subsection, "school  
32 nurse" means a person who holds an endorsement or a statement of  
33 professional recognition for school nurses issued by the board  
34 of educational examiners under chapter 272.

35 Sec. 13. Section 280.7A, subsection 1, Code 2023, is amended

1 by striking the subsection.

2 Sec. 14. DEPARTMENT OF EDUCATION — HEALTH CARE-RELATED  
3 TRAINING FOR SCHOOL PERSONNEL WORK GROUP.

4 1. The department of education shall convene and provide  
5 administrative support to a health care-related training  
6 for school personnel work group. The work group shall  
7 review and develop a plan to ensure Iowa educators have the  
8 health care training necessary to perform their duties and  
9 responsibilities, and shall consider and submit recommendations  
10 for delivery and implementation of training required under  
11 state law or rule.

12 2. The work group shall include all of the following:

13 a. (1) Two members who are staff members from the  
14 department of education, one of whom shall be an administrative  
15 consultant in the bureau of nutrition and health services.  
16 A member appointed under this subparagraph shall coordinate  
17 the work group and act as chairperson for the organizational  
18 meeting.

19 (2) One member who is a staff member from the Iowa  
20 department of health and human services.

21 b. Members who shall represent each of the following:

22 (1) One member from a statewide organization representing  
23 teachers.

24 (2) One member from a statewide organization representing  
25 school board members.

26 (3) One member from a statewide organization representing  
27 school administrators.

28 (4) One member from a statewide organization representing  
29 authorities in charge of accredited nonpublic schools.

30 (5) One member representing the area education agencies.

31 (6) One member from a statewide organization representing  
32 physicians.

33 (7) One member from a statewide organization representing  
34 athletic trainers.

35 (8) One member from a statewide organization representing

1 emergency management services.

2 (9) One member from a statewide organization representing  
3 health care organizations.

4 (10) One member from a statewide organization representing  
5 school nurses.

6 3. Any expenses incurred by a member of the work group  
7 shall be the responsibility of the individual member or the  
8 respective entity represented by the member.

9 4. The director of the department of education or the  
10 director's designee shall compile and provide to the work group  
11 a list of, and the purposes for, the health care training  
12 programs that school personnel are required to complete, as  
13 well as any requirements school personnel must meet following  
14 such training, in order to be in compliance with state law or  
15 administrative rule.

16 5. The work group shall do all of the following:

17 a. Identify which trainings can be best provided over the  
18 internet, and how such training can be rotated on a five-year  
19 basis for school personnel.

20 b. Develop a plan for a regular cycle of health care-related  
21 training for school personnel review, with the goal of removing  
22 or modifying training or training programs that are no longer  
23 relevant, and identifying less costly and more efficient  
24 options that still provide the appropriate level of training to  
25 school personnel.

26 c. Standardize the process of establishing new training  
27 requirements in state law or rule to manage stakeholder  
28 expectations relating to the timeline for establishing the  
29 requirements.

30 d. Create an ongoing review process to find efficiencies,  
31 identify training options that better utilize time and  
32 financial resources, and offer a continuous improvement model  
33 for the system moving forward.

34 e. Study and make any recommended changes on rules adopted  
35 by the state board of education under 281 IAC ch. 14, relating

1 to individual health plans prepared for students with various  
2 health conditions.

3 f. Ensure a public comment process for patient advocacy  
4 groups and parents to provide input on the recommendations of  
5 the work group.

6 6. If the work group recommends elimination or significant  
7 modification of certain health care-related training for  
8 school personnel, the department of education shall identify  
9 stakeholders who would potentially be affected by such  
10 change, and shall invite representatives from organizations  
11 representing such stakeholders to submit comments before or  
12 at an upcoming work group meeting before the work group makes  
13 final recommendations.

14 7. The department of education shall compile the work  
15 group's findings and recommendations and shall submit the  
16 compilation, including any proposal for legislation, in a  
17 report to the general assembly, the governor, and the state  
18 board of education by December 1, 2023.

19 DIVISION IV

20 STATEWIDE SCHOOL INFRASTRUCTURE FUNDING

21 Sec. 15. Section 423F.3, subsections 2 and 4, Code 2023, are  
22 amended to read as follows:

23 2. A revenue purpose statement in existence for the  
24 expenditure of local sales and services tax for school  
25 infrastructure purposes imposed by a county pursuant to  
26 section 423E.2, Code Supplement 2007, prior to July 1, 2008,  
27 shall remain in effect until amended or extended. The board  
28 of directors of a school district may take action to adopt  
29 or amend a revenue purpose statement specifying the specific  
30 purposes for which the revenues received from the secure an  
31 advanced vision for education fund will be expended. ~~If a~~  
32 ~~school district is located in a county which has imposed a~~  
33 ~~local sales and services tax for school infrastructure purposes~~  
34 ~~prior to July 1, 2008, this action shall be taken before~~  
35 ~~expending or anticipating revenues to be received after the~~

1 ~~unextended term of the tax unless the school district elects to~~  
2 ~~adopt a revenue purpose statement as provided in subsection 3.~~

3 4. The revenues received pursuant to [this chapter](#) shall  
4 be expended for the purposes specified in the revenue purpose  
5 statement. If a board of directors has not approved a revenue  
6 purpose statement, the revenues shall be expended in the order  
7 listed in [subsection 1](#) except that the payment of bonds for  
8 which the revenues have been pledged shall be paid first.  
9 Once approved, a revenue purpose statement is effective until  
10 amended or repealed by the foregoing procedures. A revenue  
11 purpose statement shall not be amended or repealed to reduce  
12 the amount of revenue pledged to the payment of principal and  
13 interest on bonds as long as any bonds authorized by sections  
14 [423E.5](#) and [423F.4](#) are outstanding unless funds sufficient  
15 to pay principal, interest, and premium, if any, on the  
16 outstanding obligations at or prior to maturity have been  
17 properly set aside and pledged for that purpose. A school  
18 district affected by a reorganization under chapter 275 that  
19 has issued bonds under section 423E.5 or 423F.4 and that has  
20 not approved a revenue purpose statement shall first use  
21 revenues to make timely and sufficient payment of principal and  
22 interest, and premium if applicable, on the outstanding bonds.

23 Sec. 16. Section [423F.3](#), subsection 3, paragraph c, Code  
24 2023, is amended by striking the paragraph.

25 Sec. 17. Section [423F.3](#), subsection 3, paragraph d, Code  
26 2023, is amended to read as follows:

27 *d.* The board secretary shall notify the county commissioner  
28 of elections of the intent to take an issue to the voters  
29 pursuant to paragraph "b" ~~or "e"~~. The county commissioner of  
30 elections shall publish the notices required by law for special  
31 or general elections, and the election shall be held on a date  
32 specified in [section 39.2, subsection 4](#), paragraph "c". A  
33 majority of those voting on the question must favor approval  
34 of the revenue purpose statement. If the proposal is not  
35 approved, the school district shall not submit the same or new

1 revenue purpose statement to the electors for a period of six  
2 months from the date of the previous election.

3 Sec. 18. Section 423F.3, subsection 6, paragraph a,  
4 subparagraph (1), Code 2023, is amended to read as follows:

5 (1) For purposes of **this chapter**, "*school infrastructure*"  
6 means those activities ~~authorized in section 423E.1, subsection~~  
7 ~~3, Code 2007~~ for which a school district is authorized to  
8 contract indebtedness and issue general obligation bonds under  
9 section 296.1, except those activities related to a teacher's  
10 or superintendent's home or homes.

11 Sec. 19. Section 423F.3, subsection 6, paragraph a, Code  
12 2023, is amended by adding the following new subparagraphs:

13 NEW SUBPARAGRAPH. (5) Additionally, "*school infrastructure*"  
14 includes the construction, reconstruction, repair, demolition  
15 work, purchasing, or remodeling of schoolhouses, stadiums,  
16 gymnasiums, fieldhouses, and school bus garages, the  
17 procurement of schoolhouse construction sites, the making of  
18 site improvements, and those activities for which revenues  
19 under section 298.3 or chapter 300 may be spent.

20 NEW SUBPARAGRAPH. (6) Additionally, "*school infrastructure*"  
21 includes a joint infrastructure project with one or more school  
22 districts or one or more school districts and a community  
23 college established under chapter 260C, for which buildings  
24 or facilities are constructed or leased for the purpose of  
25 offering classes under a district-to-community college sharing  
26 agreement or concurrent enrollment program that meets the  
27 requirements for funding under section 257.11, subsection 3.

28 Sec. 20. Section 423F.4, Code 2023, is amended to read as  
29 follows:

30 **423F.4 Borrowing authority for school districts.**

31 1. Subject to the conditions established under subsection  
32 2, a school district may anticipate its share of the revenues  
33 under ~~section 423F.2~~ by issuing bonds in the manner provided  
34 in ~~section 423E.5, Code 2019~~ this section. However, to the  
35 extent any school district has issued bonds anticipating the

1 proceeds of an extended local sales and services tax for school  
2 infrastructure purposes imposed by a county pursuant to former  
3 chapter 423E, Code and Code Supplement 2007, prior to July 1,  
4 2008, the pledge of such revenues for the payment of principal  
5 and interest on such bonds shall be replaced by a pledge of its  
6 share of the revenues under [section 423F.2](#).

7 2. *a.* Bonds issued on or after July 1, 2019, shall not be  
8 sold at public sale as provided in [chapter 75](#), or at a private  
9 sale, without notice and hearing. Notice of the time and place  
10 of the public hearing shall be published not less than ten nor  
11 more than twenty days before the public hearing in a newspaper  
12 which is a newspaper of general circulation in the school  
13 district. This paragraph does not apply to the refinancing of  
14 bonds.

15 *b.* For bonds subject to the requirements of paragraph  
16 "*a*", if at any time prior to the fifteenth day following the  
17 hearing, the secretary of the board of directors receives a  
18 petition containing the required number of signatures and  
19 asking that the question of the issuance of such bonds be  
20 submitted to the voters of the school district, the board shall  
21 either rescind its adoption of the resolution or direct the  
22 county commissioner of elections to submit the question to the  
23 registered voters of the school district at an election held  
24 on a date specified in [section 39.2, subsection 4](#), paragraph  
25 "*c*". The petition must be signed by eligible electors equal  
26 in number to not less than one hundred or thirty percent of  
27 the number of voters at the last preceding election of school  
28 officials under [section 277.1](#), whichever is greater. If the  
29 board submits the question at an election and a majority of  
30 those voting on the question favors issuance of the bonds, the  
31 board shall be authorized to issue the bonds.

32 *c.* After fourteen days from the date of the hearing under  
33 paragraph "*a*" or fourteen days after the date of the election  
34 held under paragraph "*b*", if applicable, whichever is later,  
35 an action shall not be brought questioning the legality of

1 any bonds or the power of the authority to issue any bonds  
2 or to the legality of any proceedings in connection with the  
3 authorization or issuance of the bonds.

4 3. The repeal of section 423E.5 shall not affect the  
5 validity of any previously issued bonds or other evidences of  
6 indebtedness.

7 4. The board of directors of a school district may issue  
8 negotiable, interest-bearing school bonds, without election,  
9 and utilize tax receipts derived from the secure an advanced  
10 vision for education fund for principal and interest repayment.  
11 Proceeds of the bonds issued pursuant to this subsection shall  
12 be utilized solely for school infrastructure as defined in  
13 section 423F.3, subsection 6, paragraph "a". Bonds issued  
14 under this subsection may be sold at public sale as provided  
15 in chapter 75, or at private sale, without notice and hearing.  
16 Bonds may bear dates, bear interest at rates not exceeding that  
17 permitted by chapter 74A, mature in one or more installments,  
18 be in registered form, carry registration and conversion  
19 privileges, be payable as to principal and interest at times  
20 and places, be subject to terms of redemption prior to maturity  
21 with or without premium, and be in one or more denominations,  
22 all as provided by the resolution of the board of directors  
23 authorizing the issuance. The resolution may also prescribe  
24 additional provisions, terms, conditions, and covenants which  
25 the board of directors deems advisable, including provisions  
26 for creating and maintaining reserve funds, the issuance of  
27 additional bonds ranking on a parity with such bonds and  
28 additional bonds junior and subordinate to such bonds, and  
29 that such bonds shall rank on a parity with or be junior and  
30 subordinate to any bonds which may be then outstanding. Bonds  
31 may be issued to refund outstanding and previously issued  
32 bonds under this subsection. The bonds are a contractual  
33 obligation of the school district, and the resolution issuing  
34 the bonds and its share of the revenues distributed pursuant  
35 to section 423F.2 to the payment of principal and interest on

1 the bonds is a part of the contract. Bonds issued pursuant to  
2 this subsection shall not constitute indebtedness within the  
3 meaning of any constitutional or statutory debt limitation or  
4 restriction, and shall not be subject to any other law relating  
5 to the authorization, issuance, or sale of bonds.

6 5. a. A school district may enter into an agreement  
7 pursuant to chapter 28E with one or more cities or a county  
8 whose boundaries encompass all or a part of the area of the  
9 school district. A city entering into an agreement with a  
10 school district pursuant to chapter 28E may expend the city's  
11 designated portion of the revenues for any valid purpose  
12 permitted in this chapter or authorized by the governing body  
13 of the city. A county entering into an agreement with a school  
14 district pursuant to chapter 28E may expend its designated  
15 portion of the revenues to provide property tax relief within  
16 the boundaries of the school district located in the county.

17 b. A school district may enter into an agreement pursuant to  
18 chapter 28E with another school district, a community college,  
19 or an area education agency which is located partially or  
20 entirely in or is contiguous to the county where the school  
21 district is located. The school district or community college  
22 shall only expend its designated portion of the revenues  
23 for infrastructure purposes. The area education agency  
24 shall only expend its designated portion of the revenues for  
25 infrastructure and maintenance purposes.

26 DIVISION V

27 COUNTY CONFERENCE BOARD

28 Sec. 21. Section 441.2, Code 2023, is amended to read as  
29 follows:

30 **441.2 Conference board.**

31 In each county and each city having an assessor there  
32 shall be established a conference board. In counties the  
33 conference board shall consist of the mayors or a designated  
34 member of a city council of all incorporated cities in the  
35 county whose property is assessed by the county assessor; one

1 representative from the board of directors of each high school  
2 district ~~of~~ containing a high school in the county, who is a  
3 resident of the county, ~~said board of directors appointing said~~  
4 ~~representative for a one-year term and notifying the clerk of~~  
5 ~~the conference board as to their representative~~; and members  
6 of the board of supervisors. In cities having an assessor  
7 the conference board shall consist of the members of the city  
8 council, ~~school board~~ the board of directors of each school  
9 district containing a high school in the city, and county board  
10 of supervisors. In the counties the chairperson of the board  
11 of supervisors shall act as chairperson of the conference  
12 board, in cities having an assessor the mayor of the city  
13 council shall act as chairperson of the conference board. In  
14 any action taken by the conference board, the mayors of all  
15 incorporated cities in the county whose property is assessed  
16 by the county assessor shall constitute one voting unit, the  
17 members of the ~~city board of education~~ board of directors of  
18 each school district containing a high school in the city or  
19 one representative from the board of directors of each high  
20 school district ~~of~~ containing a high school in the county shall  
21 constitute one voting unit, the members of the city council  
22 shall constitute one voting unit, and the county board of  
23 supervisors shall constitute one voting unit, each unit having  
24 a single vote and no action shall be valid except by the vote of  
25 not less than two out of the three units. In any action taken  
26 by the conference board, if a city or a county contains only  
27 one school district containing a high school, the members of  
28 or the representative of the board of directors of the school  
29 district, as applicable, shall constitute one voting unit.  
30 The majority vote of the members present of each unit shall  
31 determine the vote of the unit. The assessor shall be clerk of  
32 the conference board.

33 DIVISION VI

34 CHILDREN'S RESIDENTIAL FACILITIES

35 Sec. 22. Section 282.34, Code 2023, is amended by adding the

1 following new subsection:

2 NEW SUBSECTION. 6. For children requiring admission to  
3 a residential treatment facility, the residential treatment  
4 facility shall complete and provide to the district of  
5 residence the documentation necessary to seek Medicaid  
6 reimbursement for eligible services.

7 DIVISION VII

8 AREA EDUCATION AGENCY BOARDS — POSTING OF NOTICE OF PROPOSED  
9 BUDGET

10 Sec. 23. Section 273.3, subsection 12, Code 2023, is amended  
11 to read as follows:

12 12. Prepare an annual budget estimating income and  
13 expenditures for programs and services as provided in sections  
14 273.1, 273.2, this section, sections 273.4 through 273.8, and  
15 chapter 256B within the limits of funds provided under section  
16 256B.9 and chapter 257. The board shall post notice of a  
17 public hearing on the proposed budget on the area education  
18 agency's internet site and by publication in the newspaper of  
19 general circulation in the territory of the area education  
20 agency in which the principal place of business of a school  
21 district that is a part of the area education agency is located  
22 or in the manner prescribed in section 279.36. The notice  
23 shall specify the date, which shall be not later than March  
24 1 of each year, the time, and the location of the public  
25 hearing. The proposed budget as approved by the board shall  
26 then be submitted to the state board of education, on forms  
27 provided by the department, no later than March 15 preceding  
28 the next fiscal year for approval. The state board shall  
29 review the proposed budget of each area education agency and  
30 shall before May 1, either grant approval or return the budget  
31 without approval with comments of the state board included. An  
32 unapproved budget shall be resubmitted to the state board for  
33 final approval not later than May 15. The state board shall  
34 give final approval only to budgets submitted by area education  
35 agencies accredited by the state board or that have been given

1 conditional accreditation by the state board.

2

DIVISION VIII

3

ELECTION COMMISSIONERS

4 Sec. 24. Section 47.6, subsection 2, Code 2023, is amended  
5 to read as follows:

6 2. For the purpose of **this section**, a conflict between two  
7 elections exists only when some but not all of the registered  
8 voters of any precinct would be entitled to vote in one of  
9 the elections and all of the registered voters of the same  
10 precinct would be entitled to vote in the other election.  
11 Nothing in **this subsection** shall deny a commissioner who is  
12 responsible for conducting the election discretionary authority  
13 to approve holding a special election on the same date as  
14 another election, even though the two elections may be defined  
15 as being in conflict, if the commissioner concludes that to do  
16 so will cause no undue difficulties.

17

EXPLANATION

18 The inclusion of this explanation does not constitute agreement with  
19 the explanation's substance by the members of the general assembly.

20 This bill relates to entities supported in whole or in part  
21 by public moneys, including the sale of public bonds, the  
22 duties and responsibilities of the directors and officers of  
23 school boards, school districts, the department of education,  
24 the department of health and human services, accredited  
25 nonpublic schools, charter schools, community colleges,  
26 institutions under the control of the state board of regents,  
27 area education agencies, election commissioners, and children's  
28 residential facilities, and the membership and voting units of  
29 county and city conference boards.

30 DIVISION I — BOND SALES. Current law provides that when  
31 public bonds are offered for sale, the official in charge  
32 of the bond issue shall give notice of the time and place  
33 of sale, the amount to be offered for sale, and any further  
34 information which the official deems pertinent by publishing  
35 an advertisement in a newspaper. The division modifies this

1 provision to require the official in charge of the bond issue  
2 to give notice of the sale by publishing the time and place of  
3 sale, the amount to be offered for sale, and any additional  
4 information the official deems pertinent to the bond issue in  
5 at least one electronic or written publication with nationwide  
6 circulation that is recognized for providing information  
7 regarding the sale of public bonds or in a newspaper located in  
8 the county or a county contiguous to the place of sale.

9 Code section 75.14 provides that, notwithstanding contrary  
10 provisions of Code chapter 75 (authorization and sale of public  
11 bonds), a public body authorized to issue bonds or other  
12 obligations may elect to receive bids to purchase such bonds  
13 or other obligations by means of electronic communication, a  
14 proprietary bidding procedure, or by facsimile transmission  
15 to a location deemed appropriate by the governing body. The  
16 division adds a reference to Code section 75.3 (sealed and open  
17 bids) to the notwithstanding provision.

18 DIVISION II — SCHOOL BOARD AND OFFICERS — DUTIES AND  
19 RESPONSIBILITIES. Current law provides that individuals who  
20 either have a master's degree or are making annual progress  
21 toward meeting the requirements for a teacher librarian  
22 endorsement issued by the board of educational examiners are  
23 considered to be in compliance with rules associated with  
24 media specialists or librarians. The division strikes these  
25 provisions.

26 Code section 279.6 provides a process to fill vacancies  
27 occurring among the members of a school board. This process  
28 requires, among other things, the publication in a newspaper of  
29 notice stating that the board intends to fill the vacancy by  
30 appointment. The division requires notice to be provided by  
31 publication on the board's internet site as well.

32 The division strikes a provision requiring school boards to  
33 have rules regulating the loading and unloading of pupils from  
34 a school bus stopped on the highway during inclement weather.

35 The division authorizes the board of directors of a

1 school district and the superintendent, in certain specified  
2 circumstances, to use electronic signatures and electronic  
3 contracts pursuant to Code chapter 554D (electronic  
4 transactions) and facsimile signatures when entering into  
5 contracts to hire support personnel.

6 Currently, school districts are prohibited from charging  
7 employees for the cost of registry checks. The bill provides  
8 that a school district may charge an employee for the cost  
9 of the registry checks, not to exceed the actual cost. The  
10 division strikes obsolete language relating to school employee  
11 registry checks.

12 Current law requires the board of directors of each public  
13 school district to administer the pledge of allegiance in  
14 grades 1 through 12 each school day. The division modifies  
15 this provision to require each public school district to  
16 administer the pledge of allegiance in grades 1 through 12 each  
17 school day.

18 The division authorizes the president of the board of  
19 directors of a school district, or the president's designee, to  
20 enter into original contracts or electronic contracts pursuant  
21 to chapter 554D and sign, using an original, facsimile, or  
22 electronic signature, all school district payments drawn and  
23 authorize electronic funds transfers as provided by law.

24 Current law requires the secretary and treasurer of a  
25 school district to execute to the school corporation a surety  
26 bond in an amount sufficient to cover current operations as  
27 determined by the board. Current law also requires the oath  
28 required of civil officers to be endorsed upon the bond. The  
29 division strikes the requirement that the oath required of  
30 civil officers be endorsed upon the bond.

31 DIVISION III — RESPONSIBILITIES AND REQUIREMENTS RELATING  
32 TO HEALTH. The division strikes requirements that school  
33 districts, community colleges, and institutions under the  
34 control of the state board of regents conduct an evaluation  
35 and assessment regarding implementation of an environmentally

1 preferable cleaning policy and, unless the school districts,  
2 community colleges, or institutions under the control of the  
3 state board of regents opt out of compliance, to purchase only  
4 cleaning and maintenance products identified by the department  
5 of administrative services as being environmentally preferable  
6 or that meet nationally recognized standards.

7 The division strikes the requirement that each school  
8 work toward a goal of having one school nurse for every 750  
9 students, and instead authorizes a school district to have a  
10 school nurse to provide health care to students.

11 The division strikes a provision requiring that every  
12 parent or guardian of a child registered for kindergarten or  
13 preschool be provided with a student vision card provided by  
14 the Iowa optometric association and approved by the department  
15 of education with a goal of every child receiving an eye  
16 examination by age seven.

17 The division requires the department of education to  
18 convene and provide administrative support to a health  
19 care-related training for school personnel group. The bill  
20 requires the group to review and develop a plan to ensure  
21 that Iowa educators have the health care training necessary  
22 to perform their duties and to submit recommendations for  
23 delivery and implementation of training required under state  
24 law or rule. The bill specifies the members the group shall  
25 include. The bill requires the group to submit its findings  
26 and recommendations in a report to the general assembly, the  
27 governor, and the state board of education by December 1, 2023.

28 DIVISION IV — STATEWIDE SCHOOL INFRASTRUCTURE FUNDING.  
29 Current law provides that if a school district is located in  
30 a county which has imposed a local sales and services tax for  
31 school infrastructure purposes prior to July 1, 2008, the board  
32 of directors of a school district is required to take action  
33 to adopt or amend a revenue purpose statement specifying the  
34 specific purposes for which the revenues received from the  
35 secure an advanced vision for education fund will be expended

1 before expending or anticipating revenues to be received after  
2 the unextended term of the tax unless the school district  
3 elects to adopt a revenue purpose statement. The division  
4 strikes this provision.

5 The division requires a school district affected by a  
6 reorganization that has issued bonds under Code section 423E.5  
7 (school infrastructure funding formula - bonding) or 423F.4  
8 (borrowing authority for school districts) and that has not  
9 approved a revenue purpose statement to first use revenues to  
10 make timely and sufficient payment of principal and interest  
11 and premium, if applicable, on the outstanding bonds.

12 The division modifies the definition of "school  
13 infrastructure" for purposes of Code chapter 423F (statewide  
14 school infrastructure funding) to mean those activities  
15 for which a school district is authorized to contract  
16 indebtedness and issue general obligation bonds under Code  
17 section 296.1 (indebtedness of school corporations), except  
18 those activities related to a teacher's or superintendent's  
19 home or homes. The division also modifies the definition  
20 of "school infrastructure" for purposes of Code chapter  
21 423F to include the construction, reconstruction, repair,  
22 demolition work, purchasing, or remodeling of schoolhouses,  
23 stadiums, gymnasiums, fieldhouses, and school bus garages, the  
24 procurement of schoolhouse construction sites, the making of  
25 site improvements, those activities for which other specified  
26 revenues may be spent, joint infrastructure projects with one  
27 or more school districts or one or more school districts and  
28 a community college, for which buildings or facilities are  
29 constructed or leased for the purpose of offering classes under  
30 a district-to-community college sharing agreement or concurrent  
31 enrollment program. Additionally, the division modifies the  
32 definition of "school infrastructure" for purposes of Code  
33 chapter 423F to remove requirements related to the adoption of  
34 a revenue purpose statement that is subject to the approval of  
35 the electors.

1 Current law provides that bonds issued under Code chapter  
2 423F on or after July 1, 2019, shall not be sold at a public  
3 or private sale without notice and hearing. Current law  
4 also provides that notice of the sale shall be published in  
5 a newspaper. The bill provides that this provision does not  
6 apply to the refinancing of bonds.

7 The division provides that the repeal of Code section 423E.5  
8 (bonding) shall not affect the validity of any previously  
9 issued bonds or other evidences of indebtedness. Code chapter  
10 423E sunsets on June 30, 2023.

11 The division authorizes the board of directors of a school  
12 district to issue negotiable, interest-bearing school bonds,  
13 without election, and utilize tax receipts derived from the  
14 secure an advanced vision for education fund for principal and  
15 interest repayment pursuant to standards established in the  
16 division.

17 The division authorizes school districts to enter into an  
18 agreement pursuant to chapter 28E with one or more cities,  
19 school districts, community colleges, and certain specified  
20 counties and area education agencies. The division also  
21 establishes how revenues from such agreements may be expended.

22 DIVISION V — COUNTY CONFERENCE BOARD. Current law provides  
23 that each county and each city having an assessor shall have a  
24 conference board. Current law also provides that in counties,  
25 the conference board shall consist of the mayors of all  
26 incorporated cities in the county whose property is assessed  
27 by the county assessor, one representative from the board of  
28 directors of each high school district of the county, who is a  
29 resident of the county, said board of directors appointing said  
30 representative for a one-year term and notifying the clerk of  
31 the conference board as to their representative, and members of  
32 the board of supervisors. The division modifies this provision  
33 to require that the conference board consist of the mayors  
34 or a designated member of a city council. The division also  
35 modifies this provision by replacing references to high school

1 districts with references to school districts containing a high  
2 school.

3 The division strikes the requirement that the board of  
4 directors of a high school district appoint a representative  
5 for a one-year term and notify the clerk of the conference  
6 board as to the identity of the representative.

7 The division provides that, in any action taken by the  
8 conference board, if a city or a county contains only one  
9 school district containing a high school, the members of or  
10 the representative of the board of directors of the school  
11 district, as applicable, shall constitute one voting unit.

12 DIVISION VI — CHILDREN'S RESIDENTIAL CARE FACILITIES. The  
13 division provides that, for children requiring admission to  
14 a residential treatment facility, the residential treatment  
15 facility shall complete and provide to the child's school  
16 district of residence the documentation necessary to seek  
17 Medicaid reimbursement for eligible services.

18 DIVISION VII — AREA EDUCATION AGENCY BOARDS — POSTING OF  
19 NOTICE ON PROPOSED BUDGET. Current law requires area education  
20 agency (AEA) boards to give notice of a public hearing on the  
21 AEA's proposed budget by publication on the AEA's internet  
22 site and by publication in a newspaper of general circulation  
23 in the territory of the AEA. The division authorizes AEA  
24 boards, in lieu of providing notice of a public hearing on the  
25 AEA's proposed budget by publication in a newspaper of general  
26 circulation in the territory of the AEA, to provide notice by  
27 publication in accordance with Code section 279.36 (authorizing  
28 notice by publication in at least one newspaper published in  
29 the district).

30 DIVISION VIII — ELECTION COMMISSIONERS. The division  
31 provides that, for purposes of special elections, nothing  
32 shall deny a commissioner who is responsible for conducting  
33 the election the discretionary authority to approve holding a  
34 special election on the same date as another election, even  
35 though the two elections may be defined as being in conflict,

1 if the commissioner concludes that to do so will cause no undue  
2 difficulties.